

S/N 10/091,126

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Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. Claims 17, 21, 27 and 28 are pending in the application. Claim 17 has been restored to the form pending in the Amendment of January 13, 2005. Claims 25 and 26 have been canceled without prejudice or disclaimer. New dependent claims 27 and 28 correspond to previous claims 18 and 19. Claim 27 reads on the elected species. Claim 17 is generic.

Claims 17 and 21 were rejected as obvious over Kahelin in view of Stokes. Applicants respectfully traverse this rejection.

An apparatus capable of projecting a tennis ball or baseball at a speed of at least 90 mph provides significant benefits for training activities, for example baseball training. The use of a single motor blower that operates on about 120 volts and draws no more than 15 amps is advantageous in that it allows the apparatus to be used with standard house current and does not require any special wiring. This makes the apparatus versatile and practical. The use of multiple motors or the use of a motor that draws large amounts of current would not enjoy these advantages. The required canister and barrel dimensions provide a system that is capable of achieving the speed of at least 90 mph for a tennis ball or baseball while being charged with a single motor blower that operates on about 120 volts and draws no more than 15 amps.

Neither Kahelin nor Stokes pays any attention to these details. Nothing in either reference provides any basis to expect that an apparatus capable of achieving projectile speeds of 90 mile per hour could be obtained in the beneficial form of a single motor blower drawing no more than 15 amps. Nothing in either reference provides any guidance as to how to balance canister capacity, barrel length and blower capacity to provide an apparatus capable of achieving speeds of at least 90 mph for a tennis ball or baseball using a single motor blower that operates on about 120 volts and draws no more than 15 amps, nor the specific values for these factors that are required by claim 17.

The references provide only general discussions indicating that speeds of projectiles can be changed by modifying aspects of the devices such as the barrel length or the tightness of fit between the barrel and projectile. Nothing in the references discloses or suggests how a system could be achieved that has the ability to project a tennis ball or baseball at a speed of at least 90

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mph, or that a blower having the recited properties would be sufficient for propelling a tennis ball or baseball at a speed of at least 90 mph when used with the recited canister. The features are not obvious matters of choice. Nothing in the cited references provides any guidance as to what blowers might have properties that would be make them appropriate for propelling the projectiles at high speeds of 90 mph or higher. Nothing in the references suggests that a single motor blower operating on about 120 volts and drawing less than 15 amps could be found that would be suitable for this, or that an apparatus could be designed to provide such a result with a single motor blower that operates on about 120 volts and draws less than 15 amps, much less providing any guidance as to any specific characteristics that would achieve this. These aspects of the invention provide significant impacts in practicality and versatility and cannot be dismissed as mere matters of choice.

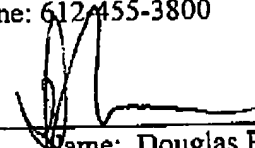
In view of the above, favorable reconsideration in the form of a notice of allowance is requested.



Respectfully submitted,

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Date: August 2, 2006

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